

REMARKS

The application is believed to be in condition for allowance for the reasons set forth below.

Claims 37-50, 52-65, 67, 68 and 70-92 were previously pending in the application. Claims 84, 86, 88, 90 and 92 are canceled; leaving claims 37-50, 52-65, 67, 68, 70-83, 85, 87, 89 and 91 for consideration.

Amending independent claims 37, 52, 67, 70 and 82 to include the subject matter of claims 84, 86, 88, 90 and 92, respectively, is believed to obviate the rejection of claims 37-43, 49, 52-58, 64, 67, 68 and 70-81 under 35 USC 103(a) as being unpatentable over NOREEN et al. U.S. Pub. No. 2002/0183059 in view of YAMAGUCHI et al. U.S. Pub. No. 2002/0154699 and is believed to obviate the rejection of claims 44-47, 50, 59-62 and 65 under 35 USC 103(a) further in view of TATSUJI et al. U.S. Pub. No. 2002/0151271 and the rejection of claims 48 and 63 further in view of NEWELL et al. U.S. Pub. No. 2002/0142764.

Claims 82-92 were rejected under 35 USC 103(a) as allegedly being unpatentable over NOREEN et al. in view of YAMAGUCHI et al. and further in view of LANGBERG et al. 5,852,630. That rejection is respectfully traversed.

Applicants note that only the features of independent claim 82 were addressed in the Official Action. The feature of "wherein permission to use the broadcast programme-associated data is timed in relation to a clock in the subscriber terminal"

as recited in each of claims 84, 86, 88, 90 and 92 was not addressed.

As recognized in the Official Action, NOREEN does not disclose obtaining permission to use the broadcast programme-associated data. Paragraph [0065] of YAMAGUCHI is offered for this feature. However, YAMAGUCHI appears to be related to limiting the expansion quality of the reproduced picture and does not appear relevant to obtaining permission to use broadcast programme-associated data.

In any event, YAMAGUCHI fails to suggest that permission to use the broadcast programme-associated data is timed in relation to a clock in the subscriber terminal.

Rather, paragraph [0065] of YAMAGUCHI discloses that accounting information (information regarding whether an account is paid, otherwise processing or expanding is not done) may be controlled at the reception terminal side, or the accounting information may be controlled at the transmission side.

LANGBERG is only cited with respect to implementing a method and apparatus using software stored on a computer readable medium.

The above-noted feature is missing from each of the references, is absent from the combination, and thus, would not have been obvious to one having ordinary skill in the art.

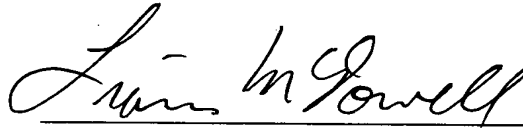
In view of the present amendment and the foregoing remarks, it is believed that the present application has been

placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in cursive script, reading "Liam McDowell". The signature is written in dark ink and is positioned above a horizontal line.

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